

Notice of Allowability

Application No.

09/929,205

Examiner

Norca L. Torres-Velazquez

Applicant(s)

STROMMEN, MICHAEL R.

Art Unit

1771

-- The MAILING DATE of this communication appears on the cover sheet with the correspondence address--

All claims being allowable, PROSECUTION ON THE MERITS IS (OR REMAINS) CLOSED in this application. If not included herewith (or previously mailed), a Notice of Allowance (PTOL-85) or other appropriate communication will be mailed in due course. **THIS NOTICE OF ALLOWABILITY IS NOT A GRANT OF PATENT RIGHTS.** This application is subject to withdrawal from issue at the initiative of the Office or upon petition by the applicant. See 37 CFR 1.313 and MPEP 1308.

1. ☒ This communication is responsive to amendment filed October 27, 2003.
2. ☒ The allowed claim(s) is/are 11, 3, 5-13, and 15-20.
3. ☒ The drawings filed on 14 August 2001 are accepted by the Examiner.
4. ☐ Acknowledgment is made of a claim for foreign priority under 35 U.S.C. § 119(a)-(d) or (f).
 - a) ☐ All b) ☐ Some* c) ☐ None of the:
 1. ☐ Certified copies of the priority documents have been received.
 2. ☐ Certified copies of the priority documents have been received in Application No. _____.
 3. ☐ Copies of the certified copies of the priority documents have been received in this national stage application from the International Bureau (PCT Rule 17.2(a)).
- * Certified copies not received: _____.
5. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. § 119(e) (to a provisional application) since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.
 - (a) ☐ The translation of the foreign language provisional application has been received.
6. ☐ Acknowledgment is made of a claim for domestic priority under 35 U.S.C. §§ 120 and/or 121 since a specific reference was included in the first sentence of the specification or in an Application Data Sheet. 37 CFR 1.78.

Applicant has THREE MONTHS FROM THE "MAILING DATE" of this communication to file a reply complying with the requirements noted below. Failure to timely comply will result in ABANDONMENT of this application. **THIS THREE-MONTH PERIOD IS NOT EXTENDABLE**

7. ☐ A SUBSTITUTE OATH OR DECLARATION must be submitted. Note the attached EXAMINER'S AMENDMENT or NOTICE OF INFORMAL PATENT APPLICATION (PTO-152) which gives reason(s) why the oath or declaration is deficient.
8. ☐ CORRECTED DRAWINGS (as "replacement sheets") must be submitted.
 - (a) ☐ including changes required by the Notice of Draftsperson's Patent Drawing Review (PTO-948) attached
 - 1) ☐ hereto or 2) ☐ to Paper No. _____.
 - (b) ☐ including changes required by the proposed drawing correction filed _____, which has been approved by the Examiner.
 - (c) ☐ including changes required by the attached Examiner's Amendment / Comment or in the Office action of Paper No. _____.

Identifying indicia such as the application number (see 37 CFR 1.84(c)) should be written on the drawings in the front (not the back) of each sheet. Replacement sheet(s) should be labeled as such in the margin according to 37 CFR 1.121(d).

9. ☐ DEPOSIT OF and/or INFORMATION about the deposit of BIOLOGICAL MATERIAL must be submitted. Note the attached Examiner's comment regarding REQUIREMENT FOR THE DEPOSIT OF BIOLOGICAL MATERIAL.

Attachment(s)

- | | |
|--|---|
| 1 <input type="checkbox"/> Notice of References Cited (PTO-892) | 5 <input type="checkbox"/> Notice of Informal Patent Application (PTO-152) |
| 2 <input type="checkbox"/> Notice of Draftsperson's Patent Drawing Review (PTO-948) | 6 <input type="checkbox"/> Interview Summary (PTO-413), Paper No. _____ |
| 3 <input type="checkbox"/> Information Disclosure Statements (PTO-1449 or PTO/SB/08), Paper No. _____ | 7 <input checked="" type="checkbox"/> Examiner's Amendment/Comment |
| 4 <input type="checkbox"/> Examiner's Comment Regarding Requirement for Deposit of Biological Material | 8 <input checked="" type="checkbox"/> Examiner's Statement of Reasons for Allowance |
| | 9 <input type="checkbox"/> Other |

Elizabeth M. Cole
ELIZABETH M. COLE
PRIMARY EXAMINER

Art Unit: 1771

EXAMINER'S AMENDMENT

1. An examiner's amendment to the record appears below. Should the changes and/or additions be unacceptable to applicant, an amendment may be filed as provided by 37 CFR 1.312. To ensure consideration of such an amendment, it MUST be submitted no later than the payment of the issue fee.

Authorization for this examiner's amendment was given in a telephone interview with William Bond on January 21, 2004.

The application has been amended as follows:

Cancelled claims 21-38.

Claim 1 has been amended to read:

-- 1. (CURRENTLY AMENDED) A flexible adsorbent-loaded filter comprising a flexible support web and attached adsorbent particles, wherein the adsorbent loaded filter is flexible and has open filter cells which are defined by the support web and the attached adsorbent particles, and are random in size and orientation through the length and depth of the filter, the support web is formed of substantially nonlinear filaments that randomly intersect wherein said filaments have an average diameter of from 0.05 to 2.0 mm and are coated with an adhesive or binder on all or a portion of the filaments surface area, with the adsorbent particles adhered to the filaments through the entire support web, and the adsorbent particles largest average cross-sectional dimension is smaller than the average diameter of the open filter cells of the support web, the diameter of the open filter cells is on average from 1 to 10 mm without the adsorbent particles wherein when the flexible adsorbent loaded filter is flexed about a radius of curvature of 20 mm, the percent increases in pressure drop is less than 100 percent when measured at a face velocity of 0.25 m/s. --

Art Unit: 1771

Claim 3 has been amended to read:

-- 3. (ORIGINAL) The flexible adsorbent -loaded filter of claim 1, wherein the adhesive is a (meth) acrylate pressure sensitive adhesive and is substantially free of low molecular weight component and solvents. --

Claims 5, 6 and 7 have been amended for compliance with 37 CFR 1.121:

-- 5. (CURRENTLY AMENDED) The flexible adsorbent-loaded filter of claim 1, wherein the adsorbent particles have aspect ratios from 1 to 5. --

-- 6. (CURRENTLY AMENDED) The flexible adsorbent-loaded filter of claim 1, wherein the adsorbent particles have aspect ratios 1 to 2. --

--7. (CURRENTLY AMENDED) The flexible adsorbent-loaded filter of claim 1, wherein the adsorbent particles largest cross sectional dimension is 2 to 100 smaller than the diameter of the pores of the support web. --

2. The following is an examiner's statement of reasons for allowance: claims 1, 3, 5-13, and 15-20 are allowed because the prior art of record fails to teach a filter of the present invention with a support web made of nonlinear filaments with an average diameter of from 0.05 to 2.0 mm, the support web with an average pore size from 1 to 10 mm and that uses an adhesive or binder to attach absorbent particles.

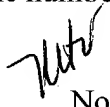
Any comments considered necessary by applicant must be submitted no later than the payment of the issue fee and, to avoid processing delays, should preferably accompany the issue fee. Such submissions should be clearly labeled "Comments on Statement of Reasons for Allowance."

Art Unit: 1771

3. Any inquiry concerning this communication or earlier communications from the examiner should be directed to Norca L. Torres-Velazquez whose telephone number is 571-272-1484. The examiner can normally be reached on Monday-Thursday 8:00-4:00 pm.

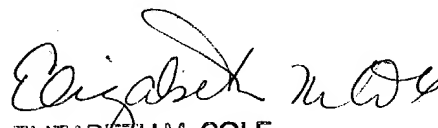
If attempts to reach the examiner by telephone are unsuccessful, the examiner's supervisor, Terrel Morris can be reached on 571-272-1478. The fax phone number for the organization where this application or proceeding is assigned is (703) 872-9306.

Any inquiry of a general nature or relating to the status of this application or proceeding should be directed to the receptionist whose telephone number is 571-272-0994.



Norca L. Torres-Velazquez
Examiner
Art Unit 1771

January 21, 2004


ELIZABETH M. COLE
PATENT EXAMINER